

IN THE
Supreme Court of the United States
OCTOBER TERM, 1987

MICHAEL H.,

and

Appellant,

VICTORIA D., a minor by and through
her Guardian *Ad Litem*, Leslie Shear,

v.

Appellant,

GERALD D.,

Appellee.

On Appeal from the Supreme Court of California

JOINT APPENDIX

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JOINT APPENDIX

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SUPERIOR COURT OF THE STATE OF
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

No. CF 022753

MICHAEL HERSCHENSOHN,
Plaintiff,

vs.

CAROLE SINGLETON, ETC., *et al.,*
Defendants.

[Filed April 6, 1983]

DECLARATION OF GERALD DEARING

I, GERALD DEARING, declare:

I am the husband of CAROLE SINGLETON DEARING. We were married on May 9, 1976, at Las Vegas, Nevada. We resided together for several months before our marriage, first in Paris, France and then in Playa Del Rey, California. Except for periods of separation necessitated by our careers, we resided together continuously from the date of our marriage until October 1981. During the period June 1980 through October 1980, we resided together continuously without any separation at 6401 Ocean Front Walk, Playa Del Rey, California.

CAROLE and I engaged regularly in sexual intercourse during September 1980. I am not now impotent nor sterile, nor have I ever been. I have never been told by anyone that I was or could be impotent or sterile, nor have I told anyone that I was, or though I might be, impotent or sterile. In addition to the pregnancies of my

wife for which I am biologically responsible as stated in her affidavit, a former girlfriend, GERDA EHRADT, and I conceived a child in 1969 or 1970; this pregnancy was terminated by a therapeutic abortion.

From April 1981 through October 1981, CAROLE and I resided together continuously without separation at the Playa Del Rey residence. Prior to VICTORIA'S birth in May 1981, CAROLE and I attended La Maz classes. I was with CAROLE in the delivery room when VICTORIA was born one month premature by Cesarean Section. At birth, VICTORIA suffered from a collapsed lung and was on the critical list for the first 24 hours of her life; I remained at the hospital throughout the ordeal. CAROLE and VICTORIA returned home with me five days after VICTORIA was born. During her first ten days at home, while CAROLE recuperated from the operation, I had primary responsibility for care of VICTORIA. When VICTORIA was one month old, my parents came to Los Angeles from France and stayed for two weeks. That summer, my brother HUGO also visited us in Los Angeles. In July, 1981, our landlord and CAROLE's close friend, SHERMAN GREENBERG, became ill with cancer. For the next two or three months, CAROLE spent most of her time caring for Mr. Greenberg. On those occasions, again, I happily exercised primary responsibility for VICTORIA'S care.

CAROLE and I separated in October 1981. When I was required for business reasons to return to New York (where I was and now am employed as a Vice-President and United States representative of ST Corporation, a French Oil Company). CAROLE decided against my wishes not to accompany me and I reluctantly agreed that she and VICTORIA would remain in Los Angeles. This was the first occasion since my marriage to CAROLE that we separated for reasons other than career requirements. Although I was unaware of it at the time, I now believe that my marital difficulties and my

separation from CAROLE and VICTORIA were due to the extra marital affair CAROLE secretly engaged in with Plaintiff and the consequent emotional turmoil she suffered in reaction to Plaintiff's assertion that he, and not I, was VICTORIA'S father. I did not learn of Plaintiff's affair with my wife, or of his claim that he was biologically responsible for VICTORIA'S conception, until so advised by Plaintiffs when he called me in May 1982.

After my separation from CAROLE in October 1981, we have lived together, with VICTORIA, in New York for a month in the spring of 1982 (after I received the telephone call from Plaintiff), and for a month in the summer of 1982 (during which VICTORIA was baptized at a ceremony attended by members of my family), and in Europe for three weeks in the fall of 1982.

During my separation from CAROLE and VICTORIA, I have consistently paid for VICTORIA'S support; since VICTORIA was old enough to hold the telephone, I have communicated with her during periods of separation on the average of twice each week.

When CAROLE, VICTORIA and I returned to New York from Europe in the fall of 1982, we agreed to reconcile. CAROLE and VICTORIA returned to Los Angeles to arrange for their move to New York. For the reasons stated in CAROLE'S Affidavit, she was required to remain in Los Angeles until March 11, 1983. Since that time, CAROLE, VICTORIA and I have resided together, and we intend to continue residing together, as a family in New York City.

I believe that I am and I know that I could be biologically responsible for the conception of VICTORIA. Even if I am not, however, VICTORIA and I consider that I am her father. She calls me "papa". If CAROLE and I are permitted to go on with our lives free from interference from Plaintiff, I am confident that we can main-

tain a healthy marital relationship and create a happy and nurturing environment for VICTORIA. However, my relationship with VICTORIA does not depend upon the subsistence of my relationship with CAROLE. I will continue being VICTORIA'S father even if the marriage fails. My relationship with VICTORIA depends only upon the outcome of this litigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of April, 1983, Los Angeles, California.

/s/ GD
GERALD DEARING

SUPERIOR COURT OF THE STATE OF
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

No. CF022753

MICHAEL HERSCHENSOHN,
vs. *Plaintiff,*
CAROLE SINGLETON, *et al.,*
Defendants.

Filed April 6, 1983

AFFIDAVIT OF CAROLE SINGLETON DEARING

STATE OF NEW YORK)
) SS
COUNTY OF)

CAROLE SINGLETON DEARING, being first duly sworn, deposes and says:

I am the mother of VICTORIA DEARING. I am married to GERALD DEARING. We were married on May 9, 1976, at Las Vegas, Nevada. He resided together several months before our marriage, first in Paris, France, and then in Plaza Del Rey, California. I am a professional model, and my career requires me to travel. Except for periods of separation necessitated by our respective careers, GERALD and I resided together continuously from the date of our marriage until October 1981. During the period of June 1980 to October 1980, and again from April 1981 through October 1981, we

resided together continuously without separation, at 6401 Oceanfront Walk, Plaza Del Rey, California.

GERALD DEARING and I engaged in intercourse on several occasions during September 1980 when VICTORIA was conceived. To my knowledge, GERALD never has been and is not now impotent or sterile, and I have never told anyone, including Plaintiff, that GERALD was or could be impotent or sterile at any time. Approximately two years before VICTORIA was born, I conceived a child as a result of intercourse with GERALD; that pregnancy was terminated by therapeutic abortion. Approximately three years before VICTORIA was born, I conceived another child as a result of intercourse with GERALD; that pregnancy terminated by a miscarriage.

Commencing in or about April 1981, GERALD and I attended La Maz classes. VICTORIA was born one month premature by Cesarean Section at Cedars of Sinai Hospital in Los Angeles. GERALD was with me in the delivery room when VICTORIA was born. She was born with a collapsed lung and for the first 24 hours of her life was on the critical list. GERALD remained with me and VICTORIA in the hospital throughout that ordeal. VICTORIA and I were released from the hospital five days after VICTORIA was born. I was bed-ridden approximately 10 days after returning home as I recuperated from the operation. During that period of time, GERALD had primary care responsibilities for VICTORIA and for me. During the summer of 1981, GERALD'S mother and father and brother visited us in Los Angeles from their home in France. In July 1981, I learned that a very dear friend and our landlord, SHERMAN GREENBERG, was dying of cancer. For several months that summer, I devoted a substantial portion of my time caring for Mr. Greenberg. On those occasions, GERALD was solely responsible for the care of VICTORIA.

In October 1981, GERALD was required to move to New York for business reasons. I elected not to accompany him. GERALD reluctantly agreed that VICTORIA and I would remain in Los Angeles, and, until such time as I might choose to join him, he would pay for VICTORIA'S support. During my separation from GERALD, he has faithfully and consistently paid for VICTORIA'S support; since before VICTORIA could speak on the telephone, he has called to speak with her on the average of twice each week. VICTORIA considers GERALD to be her father and calls him "Papa".

Since my separation from GERALD, we have lived together with VICTORIA in New York for one month in the spring of 1982 and for a month in the summer of 1982 (during which time VICTORIA was baptized at a ceremony attended by GERALD'S family), and for several weeks in Europe in the fall of 1982. By the time we returned to the United States in the fall of 1982, GERALD and I had agreed to reconcile. He remained in New York while VICTORIA and I traveled to Los Angeles to arrange for the move back to New York. In November, 1983, however, I was served with process in this proceeding. I remained in Los Angeles for the purpose of consulting with and retaining an attorney. On March 1, 1983, VICTORIA and I moved to New York where we currently reside with GERALD.

I am optimistic that my marriage to GERALD will survive the effects of this proceeding, whatever the outcome, and that GERALD, VICTORIA, and I will continue to live as a family unit. Should the attempt at reconciliation not succeed, however, I shall not have any personal relationship with Plaintiff. GERALD and VICTORIA love one another and I respectfully urge this court not to interfere with that relationship. The best interests of VICTORIA would be served by an order con-

firming that GERALD, and not Plaintiff, is the father of VICTORIA.

DATED:

/s/ Carole Singleton Dearing
CAROLE SINGLETON DEARING

Subscribed and sworn to before me this 4th day of April 1983.

/s/ Joan Lavelle

Notary Public in and for said County and State

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff,

vs.

CAROLE SINGLETON, aka CAROLE SINGLETON DEARING,
and VICTORIA CAROLE DEARING, a Minor, and GERALD
DEARING, an individual,
Defendants.

[Filed April 11, 1983]

**FIRST AMENDED COMPLAINT TO ESTABLISH
PATERNITY AND TO ESTABLISH
FATHER/CHILD RELATIONSHIP**

FIRST CAUSE OF ACTION
(Complaint to Establish Paternity)

1. Plaintiff is and at all times herein mentioned was the natural biological father of the minor child known as VICTORIA CAROLE DEARING, born May 11, 1981.

2. Defendant CAROLE SINGLETON, aka CAROLE SINGLETON DEARING, is and all times herein mentioned was a resident of the County of Los Angeles, State of California.

3. Defendant, VICTORIA CAROLE DEARING, a Minor, was born in the County of Los Angeles, State of

California, on May 11, 1981 and has continually resided with her mother since her birth.

4. In or about the summer of 1978, Plaintiff and Defendant CAROLE SINGLETON, commenced an intimate relationship. On numerous occasions thereafter, in numerous places, and most significantly, on or about September 17th and 18th, 1980, Plaintiff and Defendant, CAROLE SINGLETON, engaged in acts of sexual intercourse, and as a direct result of these acts of sexual intercourse, the child, VICTORIA, was conceived.

5. On May 11, 1981, Defendant, CAROLE SINGLETON, gave birth prematurely by approximately one month, to a female child, VICTORIA CAROLE DEARING, who was conceived as a result of the sexual intercourse between Plaintiff and Defendant CAROLE SINGLETON and as to whom CAROLE SINGLETON has precisely acknowledged that Plaintiff is the father.

6. On or about October 29, 1981, Defendant CAROLE SINGLETON voluntarily took Defendant VICTORIA CAROLE DEARING, with the Plaintiff to U.C.L.A. Medical Center for the special purpose of being tested by the U.C.L.A. HLA Tissue Typing Laboratory. It was determined that Plaintiff's probability of paternity was 98.07% (see attached report as Exhibit "A").

7. Since July, 1981, Plaintiff and Defendant have held out to the world that the child, VICTORIA, was their own. Plaintiff has, when requested and at his own instance, given money to Defendant CAROLE SINGLETON, in order that she might have funds for herself and the child VICTORIA. Further from January through March 1982, CAROLE SINGLETON and VICTORIA, lived with Plaintiff in St. Thomas, Virgin Islands and held herself out as Plaintiff's wife and held Plaintiff out as VICTORIA'S father.

8. Plaintiff is ready, willing and able to supply sufficient funds to pay reasonable sums for support, maintenance, and education for his daughter, VICTORIA.

9. Plaintiff has been diagnosed as having a unique genetic history which can be passed to his heirs, the result of which can be the birth of children with severe developmental disabilities, commonly known as Laurence Moon Biedl Syndrome. Any child of Plaintiff must have knowledge of this history to protect their own health as well as the health of any children they may have.

SECOND CAUSE OF ACTION

(Establish Father/Child Paternity)

10. Plaintiff, hereby incorporates by reference as set out in full, Paragraphs 1 through 9 of this complaint.

11. Defendant CAROLE SINGLETON DEARING is ceremoniously married to Defendant, GERALD DEARING, whose permanent address is and at all times relevant was New York, New York

12. Plaintiff alleges upon information and belief that Defendants CAROLE SINGLETON and GERALD DEARING have separate residences and do not now, nor have they since 1980, cohabitated as man and wife. Further that Defendant GERALD DEARING is sterile and, therefore, incapable of being the father of VICTORIA.

13. Plaintiff alleges that he is the biological father of VICTORIA CAROLE DEARING and is informed and believes that Defendant GERALD DEARING is not the biological father of said child.

14. Notwithstanding prior declarations and medical evidence to the contrary, Defendant CAROLE SINGLETON now alleges that GERALD DEARING is the biological father of VICTORIA CAROLE DEARING and that Defendant GERALD DEARING has an interest in establishing his paternity of said child.

15. Plaintiff is informed and believes and upon such information alleges that scientific evidence demonstrates

that Defendant GERALD DEARING is not the biological father and that, in addition, Defendant GERALD DEARING is sterile.

16. A controversy has arisen between the parties in that Plaintiff contends that Defendant GERALD DEARING can be totally excluded on the basis of scientific evidence as the biological father of the minor child VICTORIA CAROLE DEARING and that Plaintiff has a legal-right to be declared the father of said minor child and to have a parent-child relationship with her. Defendants CAROLE SINGLETON and GERALD DEARING contend to the contrary.

17. A controversy has, therefore, arisen requiring a declaration by this Court that Plaintiff and the minor child, VICTORIA CAROLE, are entitled to all of the rights, privileges, duties, and obligations incident to the parent-child relationship including visitation, support and rights of succession.

WHEREFORE, Plaintiff prays for judgment as follows:

FIRST CAUSE OF ACTION

1. That the Plaintiff be adjudged to be a parent of the child, VICTORIA;

2. That Plaintiff be ordered to pay a reasonable amount each month for the support, maintenance, and education of the child;

SECOND CAUSE OF ACTION

3. That Plaintiff be adjudged to be VICTORIA's father;

4. That Plaintiff be awarded reasonable visitation with the child; and

AS TO ALL CAUSES OF ACTION

5. For such other and further relief as the Court deems just and proper.

April 1, 1983

NEWMAN, AARONSON.
KREKORIAN. VANAMAN

By: /s/ Joel S. Aaronson
JOEL S. AARONSON

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff
and Cross-Defendant,

vs.

CAROLE SINGLETON, aka
CAROLE SINGLETON DEARING,
*Defendant and Cross-
Defendant*

VICTORIA CAROLE DEARING, A Minor,
*Defendant and Cross-
Complainant,*

GERALD DEARING,
*Defendant and Cross-
Defendant*

**CROSS-COMPLAINT FOR DECLARATORY RELIEF,
TO ESTABLISH PATERNITY AND TO ESTABLISH
FATHER-CHILD RELATIONSHIP**

Cross-Complainant VICTORIA CAROLE DEARING,
a minor, by LESLIE ELLEN SHEAR, her guardian ad
litem, alleges:

1. Cross-Complainant VICTORIA CAROLE DEARING,
hereinafter referred to as VICTORIA, was born on
May 11, 1981 to Defendant CAROLE SINGLETON,
hereinafter referring to as SINGLETON.

2. On November 18, 1982, Defendant and Cross-
Defendant MICHAEL HIRSCHENSOHN, hereinafter
referred to as HIRSCHENSOHN, filed a Complaint to
Establish Paternity and to Establish Father/Child Re-
lationship, alleging that he is the biological father of
VICTORIA.

3. On January 25, 1983, SINGLETON filed an An-
swer, alleging that GERALD DEARING, hereinafter re-
ferred to as DEARING, is the father of VICTORIA.

4. On April 4, 1983 DEARING signed a declaration
under penalty of perjury alleging that he is the father of
VICTORIA.

5. VICTORIA is now 23 months only and residing
with SINGLETON in New York City, New York.

6. VICTORIA is entitled to care, supervision, support
and rights of inheritance from her father.

7. VICTORIA is also entitled to attorneys fees and
costs from all of the parties herein.

8. There is an actual controversy as to the identity of
the father of VICTORIA.

9. Both HIRSCHENSOHN and DEARING have
claimed that each of them has formed a psychological or
de facto father-child relationship with VICTORIA. If
VICTORIA has one or more psychological or *de facto*
father(s) she is entitled to care, supervision, support
and rights of inheritance from said father or father(s).

WHEREFORE, Cross-Complainant prays for:

1. A Declaration of Rights establishing whether there
exists a parent-child relationship between HIRSCHEN-
SOHN and VICTORIA;

2. A Declaration of Rights establishing whether there
exists a parent-child relationship between DEARING and
VICTORIA;

3. Orders allocating responsibility for her care, supervision, (custody and visitation) and support;
4. Attorneys fees and costs for this proceeding;
5. Such other and further relief as the Court deems proper.

Dated: April 12, 1983

LESLIE ELLEN SHEAR

Attorney and Guardian Ad
Litem for Defendant and
Cross-Complainant
VICTORIA CAROLE
DEARING, a minor.

DECLARATION OF CAROLE SINGLETON DEARING

I, CAROLE SINGLETON DEARING, declare:

I am a Defendant in this action. I am the mother of VICTORIA CAROLE DEARING, born May 11, 1981. VICTORIA is a child of my marriage to GERALD DEARING. GERALD and I remain husband and wife, although we have lived separate and apart since June 1983.

For at least the past several years, Plaintiff has resided in the Virgin Islands where he owns a business and two parcels of real property, and where he currently maintains a residence. Since August 1983, he has lived with my daughter and me intermittently at my apartment located at 6407 Oceanfront Walk, Playa Del Rey. Specifically, Plaintiff used my apartment as his California residence during August 1983 and October 1983, from a few days before Christmas 1983 until the middle of January 1984, and from the second week of April until the end of April, 1984. During September 1983, Plaintiff was in New York; during November and most of December 1983, and from mid January through the 1st week of April 1984, he was in the Virgin Islands. VICTORIA and I have resided at the Playa Del Ray apartment continuously since July 1983, except for the last week in April 1984, during which time we resided in the Southern California area with my mother, awaiting Plaintiff's removal from my apartment. Plaintiff vacated the apartment on May 1, 1984; since then, VICTORIA and I have resided there alone.

During the times that VICTORIA and I have been in Plaintiff's company since August 1983, his behavior, and VICTORIA's reaction to his behavior, have been such as to convince me that my daughter's welfare, and my own welfare, require that we have no contact whatsoever with Plaintiff. From the outset, Plaintiff has been argumentative, combative, and violent, and in displaying his moody,

depressive, and peculiar behavior in front of VICTORIA, he has demonstrated disinterest in her welfare. In August, for example, he disagreed with my decision to discontinue giving VICTORIA tylenol for a fever which had abated; he resolved the dispute by grabbing VICTORIA and forcefully administering the medication. On another occasion shortly thereafter, he ordered me to remove wine glasses from a shelf, stating that VICTORIA could reach them and, if she broke one, she might hurt herself; I told Plaintiff that I had taught VICTORIA to leave the glasses alone, whereupon Plaintiff became very angry and, in VICTORIA's presence, and to my surprise and her's, he proceeded to smash the entire set of glasses by throwing them in a trash receptacle.

In early January, we had an argument. He chased me around the apartment. I became fearful for my safety and that of VICTORIA, and took her into the bathroom, closing the bedroom door behind me. Although the door was unlocked, Plaintiff broke it down, shattering it into many pieces; the door has not yet been replaced. He came into the bathroom. I managed to put VICTORIA down before Plaintiff slapped me in the head with his hands approximately five times. VICTORIA observed this conduct on the part of Plaintiff.

Plaintiff's behavior has been uniformly peculiar. He appears to fall into depressed emotional or psychological states. He would often go into one of the bedrooms in my three bedroom apartment and stay there alone, sometimes for days at a time without coming out. He has told VICTORIA that there are monsters in her bedroom, as a result of which she has found it difficult to go to sleep at night and suffers nightmares when she does. On one occasion, while giving VICTORIA a bath, he became upset when she did not mind him; he responded by turning off the light in the bathroom and walking out of the room, leaving her in tears.

When Plaintiff returned to California from the Virgin Islands in April 1984, I told him that I did not think it was healthy for him, for me, and most of all for VICTORIA for him to share my apartment. He suggested that we seek counseling. I agreed to do so, hopeful that a neutral and professional third party might convince Plaintiff to leave peacefully. On Monday, April 16, we had a session with Dr. GRAYDON G. GOSS. During this session, Plaintiff became angry and abusive toward R. Goss and me, and he stormed out of the room.

The rest of the week, Plaintiff was moody and unsociable, and we had little contact with one another. Such contact as we had quickly evolved into arguments, with violent overtones. On the evening of April 19, he chased me into the bathrool and, complaining that I was not listening to him, he put his hands around my neck. When he way himself in the mirror as he assaulted me, he let go, stating that he was only trying to gain my attention.

The following afternoon, April 20, a friend had come to visit me. In her presence, Plaintiff became angry with me and chased me down the hall way. He was in a rage and he ordered my friend out of the house; I left with her and called the police. When they arrived, they told me that they could do nothing unless and until I obtained a restraining order.

The effect of Plaintiff's conduct upon VICTORIA has been profound. On Easter Sunday, we had people visiting. VICTORIA left the room, went to her bedroom, and closed the door. When I entered, I entered, I found her on the floor, crying. The following day, I told Plaintiff that I insisted that he move out of the apartment. He refused.

On Wednesday, April 25, upon entering one of the bedrooms in the apartment, I discovered Plaintiff sitting on the bed with his legs outstretched. On one of his legs

he had placed several rocks in a line from his knee to his groin. VICTORIA was seated along side Plaintiff and, at his direction, she was picking up the rocks one by one. Subsequently, I discovered photographs of VICTORIA in the nude taken by Plaintiff. After the rock incident, VICTORIA and I moved out of the apartment. I am informed and believe that Plaintiff has attempted to see VICTORIA on at least two occasions since then at her school.

To my knowledge, Plaintiff's only source of income consists of his business interests in the Virgin Islands. There is nothing tying him to the Southern California area. Unless he is enjoined from having any contact with VICTORIA, among my concerns is the possibility that he may take her with him and leave Southern California.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of May, 1984.

/s/ Carole Singleton Dearing
CAROLE SINGLETON DEARING

DECLARATION OF MICHAEL HIRSCHENSOHN

I, MICHAEL HIRSCHENSOHN, declare:

1. I am the natural father of Victoria Dearing.

2. I have been attempting to fulfill my role as Victoria's father since she was born. My early attempts were frustrated by her mother, Carol Singleton. In November of 1982, I filed a paternity action to resolve the on-going dispute concerning custody and visitation.

3. In July of 1983 I moved to Los Angeles from St. Thomas in order to be closer to Victoria. Soon thereafter Carole asked me to move in with her and to try and begin a real family. I agreed, and in August of 1983 the three of us started living together.

4. In the Summer of 1983 I spoke with Carole about resolving this case by stipulating to my paternity and allowing me reasonable visitation and that I would pay child support at the rate of \$500 per month. I gave her a stipulation and to the best of my knowledge she signed it soon thereafter. A true copy of this stipulation is attached hereto as Exhibit "A". Since July of 1983 I have paid Carole and Victoria on the average of \$2000.00 per month in support. Now Carole tells me that she wants to withdraw the stipulation.

5. From August 1, 1983 thru April, 1984, I have been the chief source of financial support for Carole and Victoria. I have enjoyed assuming my role as Victoria's father. Victoria looks to me as her father. I walked Victoria in the mornings, made breakfast for her, dressed her for school, made her school lunches, drove her to and from school, played with her, read to her, visited friends with her, bought her gifts and took her on trips to Disneyland, Lion Country Safari etc. I believe that I have been a good father to her. Victoria calls me daddy and I love Victoria as my daughter.

6. Carole and I have been out with friends and neighbors numerous times in the last several months and have enrolled Victoria in school and taken her to a pediatrician. In all of these settings I have been acknowledged as Victoria's father.

7. In mid April of 1984, Carole and I got into an argument (not concerning Victoria) and Carole took Victoria to her mother's home. I have not seen Victoria since April 24, 1984, despite repeated requests to do so. I have not been able to tell Victoria why I have not seen her and I have not been allowed to pick her up from school.

8. May 11 is Victoria's birthday. I will be leaving for St. Thomas on the evening of May 11 and will return on June 4, 1984.

I declare under penalty of perjury that the foregoing is true and correct and if called upon as a witness could competently testify thereto.

Executed this 9th day of May, 1984 at Sherman Oaks, California.

/s/ Michael J. Herschensohn

Law Offices
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 Suite 300
 Credit Union Plaza
 717 West Temple Street
 Los Angeles, California 90012
 Telephone 213-485-0500

April 2, 1984

Mr. Joel Aaronson
 Attorney at Law
 14001 Ventura Boulevard
 Sherman Oaks, CA 91423

Re: Hirschensohn vs. Singleton
 LASC No.: CF 022753

Dear Joel:

I am enclosing the Stipulation for Judgment which Carole has signed. The document has been re-typed. The only change is the addition of paragraphs c and the necessary re-lettering of subsequent paragraphs. I believe paragraph c to be declarative of paragraph b, and I do not expect you will have any objection to its conclusion. If I am wrong, please do not hesitate to call me. If the document meets with your approval, please have Mr. Hirschensohn execute it and forward it to Ms. Sheer for her review, approval, and execution. When all necessary signatures have been obtained, I volunteer to obtain judgment pursuant to the Stipulation.

Thank you for giving these matters your attention.

Very truly yours,
MACKEY AND MANSFIELD

By: /s/ Larry M. Hoffman
LARRY M. HOFFMAN

dm

Enclosure

NEWMAN • AARONSON • KREKORIAN
• VANAMAN

Attorneys at Law

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May 7, 1984

Mr. Larry Hoffman
Mackey & Mansfield
717 N Temple St.
Suite 300
Los Angeles, CA. 90012

Re: Victoria Dearing

Dear Larry:

It is obviously clear from all that has gone on since last year at this time that your client has acknowledged and accepted the fact of our client's fatherhood of Victoria. It's also clear from recent events that the parties have great conflicts and therefore great difficulty in living with one another. This should not however create a situation in which Victoria, who has had a nurturing loving father for the past months, be deprived of his proximity because of the conflicts between Carole and Michael.

Michael has left Carole's residence and plans to stay away from her. He would like to arrange to visit with Victoria for her birthday which is Friday, May 11. I hope you can persuade your client to cooperate since the alternatives are so obviously detrimental to Victoria's well being.

Hope to hear from you very shortly.

Very truly yours,

/s/ Joel S. Aaronson
JOEL S. AARONSON

JSA/rjw

cc: client

THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff,

vs.

CAROLE SINGLETON aka CAROLE SINGLETON DEARING, and
VICTORIA CAROLE DEARING, a Minor, and GERALD
DEARING, an individual,
Defendants.

[Filed Aug. 15, 1984]

ANSWER OF GERALD DEARING TO
FIRST AMENDED COMPLAINT

Defendant, GERALD DEARING, answers plaintiff,
MICHAEL HIRSCHENSOHN'S, First Amended Com-
plaint to Establish Paternity and the Establish Father/
Child Relationship as follows:

1. Answering defendant denies each and every allega-
tion of Paragraphs 1, 2, 4, 7, 8, 12, 13, 15, 16, and 17.

2. Answering Paragraph 3 of Plaintiff's Complaint,
defendant admits that the child was born on May 11,
1981, in Los Angeles, California, but denies each and
every allegation contained therein.

3. Answering Paragraph 5 of plaintiff's Complaint,
defendant admits that defendant SINGLETON prema-
turely gave birth to VICTORIA CAROLE DEARING on

May 11, 1981, but denies each and every other allegation therein.

4. Defendant lacks sufficient information or belief to answer the allegations of Paragraphs 6 and 9 of plaintiff's Complaint and, basing his denial on that ground, denies each and every allegation therein.

5. Answering Paragraph 11 of plaintiff's Complaint, defendant admits that he is married to CAROLE SINGLETON DEARING and he does reside in New York, New York.

FIRST AFFIRMATIVE DEFENSE

6. Plaintiff is barred from bringing this paternity action under Civil Code Section 7006(a)(1) in that he is neither the child, the child's natural mother, or the presumed father.

SECOND AFFIRMATIVE DEFENSE

7. This action is barred by the conclusive presumption of Evidence Code Section 622.

WHEREFORE, Defendant prays judgment as follows:

1. That plaintiff's Complaint be dismissed;
2. That defendant GERALD DEARING is conclusively presumed to be the father of VICTORIA CAROLE DEARING;
3. For such other and further relief as this Court deems proper.

DATED: August 13, 1984

GLEN H. SCHWARZ
A LAW CORPORATION

/s/ Glen H. Schwartz
GLEN H. SCHWARTZ
Attorney for Gerald Dearing

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff,

vs.

CAROLE SINGLETON aka CAROLE SINGLETON DEARING and
VICTORIA CAROLE DEARING, a minor, and GERALD
DEARING, an individual.
Defendants.

VICTORIA CAROLE DEARING a minor,
Cross-Complainant,

vs.

MICHAEL HIRSCHENSOHN, CAROLE SINGLETON aka CAROLE
SINGLETON DEARING, GERALD DEARING.
Cross-Defendants.

[Filed Aug. 15, 1984]

ANSWER OF GERALD DEARING TO CROSS-COMPLAINT FOR DECLARATORY RELIEF, TO ESTABLISH PATERNITY AND TO ESTABLISH FATHER-CHILD RELATIONSHIP

Cross-Defendant, GERALD DEARING, answers the
Cross-Complaint of VICTORIA CAROLE DEARING, a
Minor, as follows:

1. Cross-Defendant admits each and every allegation contained in Paragraphs 1, 2, 3, 4, 5 and 6 of the Cross-Complaint.

2. Answering the allegations of Paragraph 7 of the Cross-Complaint, Cross-Defendant denies that VICTORIA CAROLE DEARING, a Minor, is entitled to fees and costs from this answering Cross-Defendant.

3. Answering the allegations of Paragraph 8 of the Cross-Complaint, this answering Cross-Defendant denies that there is any controversy as to the identity of VICTORIA CAROLE DEARING'S father.

4. Answering the allegations of Paragraph 9 of the Cross-Complaint, this Answering Cross-Defendant admits that there is a psychological father-child relationship between he and VICTORIA CAROLE DEARING, but denies each and every other allegation contained in Said Paragraph 9.

FIRST AFFIRMATIVE DEFENSE

5. Cross-Complainant fails to state facts sufficient to constitute a cause of action against this answering Cross-Defendant, in that the facts, as alleged in the Cross-Complaint, conclusively presume this answering Cross-Defendant to be the father of VICTORIA CAROLE DEARING under Evidence Code Section 621.

SECOND AFFIRMATIVE DEFENSE

6. Cross-Complainant's cause of action is barred by the conclusive presumption of Evidence Code Section 621.

WHEREFORE, Cross-Defendant prays judgment as follows:

1. That Cross-Complainant's Complaint be dismissed;
2. That Cross-Defendant GERALD DEARING is conclusively presumed to be the father of VICTORIA CAROLE DEARING;

3. For such other and further relief as this Court deems proper.

DATED: August 13, 1984

GLEN H. SCHWARTZ
A LAW CORPORATION

/s/ Glen H. Schwartz
GLEN H. SCHWATZ
Attorney for Gerald Dearing

The Court finds that the child will benefit from a short delay of the visits scheduled for the weekend of October 5 through October 8, because of the risk that she will become involved in the confrontation and/or conflict between the parties associated with the pending orders to show cause.

THEREFORE, the Court orders that the visits that would ordinarily take place on October 5 and October 8 be postponed only until the weekend of October 12 through October 15, on dates and at times to be agreed upon among the parties, and shall continue at two week intervals thereafter, until further order of Court.

Oct. 4, 1984

/s/ John H. Sandoz
JOHN A. SANDOZ
Judge Pro Tempore

I, Norman Stone, declare:

I am a licensed clinical psychologist, appointed by the Court to assess the parties and make recommendations regarding the best interests of Victoria Dearing. I believe that a visit between Victoria and Michael Hirschensohn, while the pending Order to Show Cause is trailing or being tried, would be unduly distressing to Victoria. Such a visit would be more valuable to Victoria, once the visitation issue has been resolved, and the adult parties have had an opportunity to cool down after the heat of the litigation. The visit should take place within the next two weeks, ideally several days after the hearing has been concluded. Scheduling of the visit at that time will permit Victoria to receive explanations of the new visitation schedule both from Michael, and from Carole and Gerald. In the event that the Order to Show Cause has not been heard at the end of the two weeks, the visit should not be delayed any further.

I have met with the adult parties to discuss the findings of my report with them. These recommendations are based both on the findings of our original evaluation and my observations of the parties' reactions to the report. The pendency of litigation is exacerbating the tensions between the parties. Their agitation is inevitably transmitted to Victoria, who will therefore experience some distress. I am concerned that a visit will increase the agitation of all of the adults, and place Victoria in the center of the conflict. I do not believe that Carole can prepare Victoria for the visit calmly. Although Michael will not intensionally do anything to communicate the conflict to Victoria, he, too, is sufficiently distressed that his distress will be communicated to Victoria.

Ironically, the bringing of an ex parte motion to cancel the visitation has, itself, exacerbated the tensions. Thus Carole has contributed to the very situation that the

proceeding professes prevent. For that reason, as well as my concern that Victoria will start worrying if she does not see Michael within a few weeks, I recommend no more than a two week delay of the visit.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 4, 1984 at Los Angeles, California.

/s/ Norman Stone, Phd.D.

THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA FOR THE COUNTY OF
LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
vs. *Plaintiff,*

CAROLE SINGLETON aka CAROLE SINGLETON DEARING and
VICTORIA CAROLE DEARING, a minor, and GERALD
DEARING, an individual,
Defendants.

And related cross-action

AFFIDAVIT OF GERALD DEARING

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

GERALD DEARING, being first duly sworn, poses and says:

1. I am the father of VICTORIA DEARING and the husband of CAROLE SINGLETON DEARING. Carole and I were married on May 9, 1976, at Las Vegas, Nevada, and we are still residing together as husband and wife in New York City with our daughter, Victoria.

2. Carole and I had continual sexual relations, including sexual intercourse regularly since several months before our marriage until October 1981, when we separated. I am not now, nor have I ever been, impotent or sterile. In addition to the pregnancy which gave birth to Victoria, on two previous occasions I impregnated Carole:

The first pregnancy terminated by miscarriage and the second by therapeutic abortion.

3. Victoria was conceived in September 1980, and we were a happy family until October 1981, when I was required to return and maintain my residence in New York, where I was employed by a New York based French oil company. Carole decided, against my wishes, not to accompany me and I reluctantly agreed that she and Victoria could stay in Los Angeles. This was the first occasion since our marriage that Carole and I were separated for reasons other than short business trips.

4. During this separation, in October 1981, Carole and Victoria came to New York, and spent a month with me, and in Spring 1982, spent another month with me, and spent another month with me in the summer of 1982 (During which time Victoria was baptized in a ceremony attended by my family from France). In the fall of 1982, Carole and Victoria and I spent three weeks in Europe, and upon returning Carole and I agreed to reconcile.

5. On May 11, 1982, I received a phone call from a man who identified himself as plaintiff and told me that he and Carole had had a secret extramarital affair and he was the father of Victoria. This was the first time I ever heard any such allegations or had any reason to believe Carole was not faithful to me.

6. Carole, Victoria and I lived together in a family unit in New York City, until July 1983, when Carole and I again separated, and Carole and Victoria once again moved to Los Angeles. For the next ten months, during the separation, I stayed in constant contact with both Carole and Victoria, both by telephone and by visiting on holidays. Like every other father who is separated from his child, I rationalized the separation, stayed as close to my daughter as possible, and prayed that one day we would all be back together.

7. In June 1984, Carole and I did reconcile, and since then Carole, Victoria and I have lived very happily in New York. I believe that our relationship is stronger and more loving than it has ever been, the only irritant being the constant intrusion by plaintiff. I am confident that once plaintiff's lawsuit ends his interference into our lives will also end, and Carole, Victoria and I can continue to be a happy family.

Executed this 17th day of October, 1984, at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Gerald Dearing
GERALD DEARING

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

On this the 17th day of October, 1984, before me GERALD DEARING, the undersigned Notary Public, personally appeared GERALD DEARING, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.

SEAL

/s/ [Illegible]
Notary's Signature

THE SUPERIOR COURT OF THE STATE OF
CALIFORNIA FOR THE COUNTY OF
LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff,
vs.

CAROLE SINGLETON aka CAROLE SINGLETON DEARING and
VICTORIA CAROLE DEARING, a minor, and GERALD
DEARING, an individual,
Defendants.

And related cross-action

AFFIDAVIT OF CAROLE SINGLETON DEARING

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

CAROLE SINGLETON DEARING, being first duly
sworn, poses and says:

1. I am the mother of VICTORIA DEARING, and I
am married to Victoria's father GERALD DEARING.
Gerald and I were married on May 9, 1976, at Las Vegas,
Nevada, and are still living together as husband and
wife with our daughter Victoria in New York City.

2. Except for a period of separation necessitated by
our respective careers, Gerald and I resided together con-
tinuously from the date of our marriage, May 9, 1976,

until October 1981. Gerald and I have engaged in sexual
intercourse throughout our marriage. I have never
known Gerald to be impotent, nor do I have any knowl-
edge that he is sterile. In fact, approximately two years
before Victoria was born, I conceived a child as a result
of intercourse with Gerald: That pregnancy was termi-
nated by therapeutic abortion. Approximately three
years before Victoria was born, I conceived another child
as a result of intercourse with Gerald: That pregnancy
terminated by a miscarriage. During the several occa-
sions of sexual intercourse during September 1980, Vic-
toria was conceived.

3. Victoria was born one month premature, and
Gerald was with me in the delivery room at the time of
birth. Thereafter, Gerald and Victoria and myself lived
happily together as a family unit until October 1981.

4. In October 1981, Gerald was required to move to
New York for business reasons. I elected not to accom-
pany him, and Gerald reluctantly agreed that Victoria
and I could remain in Los Angeles. In spring 1982, Vic-
toria and I went to New York and stayed with Gerald
for one month, and in the summer of 1982, Victoria and
I again stayed a month in New York with Gerald. (Dur-
ing the latter period, Victoria was baptized in a ceremony
attended by Gerald's family who had come from France
for the occasion. In fall 1982, Victoria, Gerald and my-
self spent three weeks together in Europe, and upon re-
turning Gerald and I agreed to reconcile. Thereafter,
the three of us lived together in New York.

5. In July 1983, Gerald and I again separated and
Victoria and I returned to Los Angeles, where we re-
sided in an apartment in Playa del Rey. It was during
this separation period that plaintiff became familiar with
Victoria. Plaintiff stayed with us sporadically at the
Playa del Rey apartment. During the period from Aug-
ust 1983, through April 1984, plaintiff stayed with us

for no more than a total of ninety days, and only in August and October 1983, did he stay for as many as thirty consecutive days. In April 1984, I terminated my relationship with plaintiff and Victoria and I moved out of that Playa del Rey apartment to avoid any further contact with plaintiff.

6. In June 1984, Gerald and I reconciled and I returned to New York, where Gerald, Victoria and I have resided and still are happily residing with the hope and expectation of remaining together as a family for the rest of our lives.

Executed this 17th day of October, 1984, at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Carole Singleton Dearing
CAROLE SINGLETON DEARING

STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

On this the 17th day of October, 1984, before me CAROLE DEARING, the undersigned Notary Public, personally appeared CAROLE SINGLETON DEARING, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.

SEAL /s/ Naim K. Datora
Notary's signature

FAMILY EVALUATION

IDENTIFYING INFORMATION

Family Name: Hirschensohn-Singleton-Dearing

Dates of Evaluation: 6/08/84, 6/09/84, 9/07/84,
9/08/84, 9/09/84, 9/11/84

Place of Evaluation: 15250 Ventura Blvd., Sherman
Oaks, CA

Examiners: Norman M. Stone, Ph.D.
Susan F. Stone, M.S.

Date of Report: 9/24/84

PARTICIPANTS

Michael Hirschensohn, 12/26/42

Carole Singleton Dearing, 2/03/51

Gerald Dearing, 12/27/40

Victoria Dearing, 5/11/81

BASIS OF EVALUATION

Michael Hirschensohn

Minnesota Multiphasic Personality Inventory (Taken
twice)

Shipley Institute of Living Scale

Thematic Apperception Test

Hand Test

Roth Mother-Child Inventory

Projective Drawings

Clinical Interviews (4½ hrs.)

Carole Singleton Dearing

Minnesota Multiphasic Personality Inventory
 Shipley Institute of Living Scale
 Thematic Apperception Test
 Hand Test
 Roth Mother-Child Inventory
 Projective Drawings
 Clinical Interviews (4½ hrs.)

Gerald Dearing

Minnesota Multiphasic Personality Inventory
 Shipley Institute of Living Scale
 Thematic Apperception Test
 Hand Test
 Projective Drawings
 Clinical Interviews (3½ hrs.)

Victoria Dearing

San Fernando Valley Preschool Screening Inventory
 Rorschach
 Children's Apperception Test
 Family Relations Test (Administered twice)
 Connor's Behavior Checklist
 Chess Temperament Scale
 Play Interview
 Sexual Abuse Screening Interview

Family Observation

Michael and Victoria (3½ hrs.)
 Carole and Victoria (3 hrs.)
 Carole, Gerald, and Victoria (1½ hrs.)

Joint Interviews

Carole and Gerald (1 hr.)
 Michael, Carole, and Gerald (1½ hrs.)

Contacts with Ancillary Parties

Robin Drapkin, Ph.D., family therapist

Review of previous court records

FAMILY HISTORY

Carole and Gerald met while they were both residing in Paris in 1975. Shortly thereafter, Carole returned to Los Angeles where her ten year old son from her previous marriage was living with her parents. Gerald visited Carole in Los Angeles and the couple married in 1976.

Carole and Michael met in Los Angeles in June 1978. Approximately three months later they began an affair.

From approximately October 1979 to June 1980 and from September 1980 to December 1980 Carole was modeling in Europe. In September 1980 Gerald went to New York visiting his relatives. In October 1980 Carole realized she was pregnant and had an abortion. In December 1980 Carole returned from Europe and spent the holidays with Gerald in New York.

In January 1981 Carole discovered she was five months pregnant. She met with Michael who reportedly proposed. Gerald returned to Los Angeles in April 1981. Victoria was born May 11, 1981.

In October 1981 Gerald moved to New York to set up a business. During this month Michael, Carole and Victoria had a blood test to determine paternity at UCLA. In Spring 1982 Carole, Victoria and Carole's mother visited Michael in the Virgin Islands.

On Victoria's first birthday (5/11/82) Michael called Gerald and told him that he (Michael) was the biological father. In November 1982 Carole was served with a paternity suit. In March 1984, after maintaining joint residency with Michael for eight months, Carole signed a stipulation naming Michael as Victoria's biological father. She left their shared residence the following month.

The following chart was constructed based upon information provided by Carole, Gerald, and Michael. It approximates Victoria's living experience thus far:

Date	Age	Residence	Principal Caretakers
May 81-Oct. 81	0-5 mos.	Los Angeles	Carole, Gerald
Oct. 81-Jan. 82	5-8 mos.	Los Angeles	Carole
Jan. 82-March 82	8-10 mos.	Virgin Islands	Carole, Michael, Carole's Mom
March 82-April 82	10-11 mos.	New York	Carole, Gerald
April 82-May 82	11-12 mos.	Los Angeles	Carole
May 82-March 83	12-22 mos.	Los Angeles	Carole, Scott
(June 82)	13 mos.	New York	Carole, Gerald)
(Fall 82)		New York, Europe	Carole, Gerald)
March 83-June 83	22-25 mos.	New York	Carole, Gerald
June 83-Aug. 83	25-27 mos.	Los Angeles	Carole
Aug. 83-April 84	27-35 mos.	Los Angeles	Carole, Michael,
(Nov. 83)	30 mos.	New York	Carole, Gerald)
Apr. 84-June 84	35-37 mos.	Los Angeles	Carole
June 84-Aug. 84	37-39 mos.	New York	Carole, Gerald
Aug. 84-Sept. 84	39-40 mos.	Los Angeles	Carole, Gerald, Carole's Mom

SUMMARY OF IMPRESSIONS

1. In general Carole is an exceptionally charming but child-like individual. She possesses a quality of effervescent warmth and spontaneity; the darker side of which reflects egocentricity, stimulation-seeking, impulsivity, a non-analytic approach to problems, and an underlying sense of powerlessness. Her past behavior and current personality predisposition reflect an emphasis on pursuit of immediate gratification of personal needs and strong avoidance of any negative feelings (anxiety or resentment). Consequently she has up to now exhibited a limited capacity to enact the degree of intimacy or self-sacrifice that normally characterizes relationships between spouses and/or parents and children. Thus, history data, testing, interviews and family observations all combine to raise serious questions regarding Carole's capacity to substantially care for Victoria on a consistent basis over time.

2. Gerald is a gentle, tolerant and in many respects wise man, who combines intellect with compassion. These characteristics stem in large part from his highly passive, distant, aesthetic, philosophical manner of relating which protects him from conflict and permits him to maintain a romanticized view of the world. Consequently he exhibits a passive unconditional attachment to Carole and Victoria. He loves them when they are with him. It is highly unlikely he will pursue them when they go. Consequently, in all probability, Carole will be Victoria's primary caretaker throughout her childhood with Gerald playing a potentially important but peripheral/supportive role.
3. The probability that Carole and Gerald will maintain a joint household is low. They have resided together a total of seven months in the last three years and never for longer than a three month duration. In general, Gerald's relationship with Carole appears more paternalistic than spousal, with Carole returning to Gerald in times of crisis, or in between lovers, like a young adult going back home. Observations of their present interaction by the examiners and the family's therapist, Dr. Drapkin, as well as statements made individually by Gerald and Carole in the therapy and evaluation settings clearly suggest the tentativeness of their present relationship.
4. Michael is a strong-willed and intense individual who has suffered numerous losses in his life. He has translated the resulting strong unmet needs for affection into alternately sympathy-eliciting and aggressive (intrusive, controlling, argumentative) behaviors. This approach has failed to bring him the close relationships he seeks, leaving him instead to feel victimized. In turn, these feelings of victimization only exacerbate his sympathy-eliciting and aggressive pur-

suit of relationships, establishing a potentially endless cycle.

Michael's longing for closeness has led to a strong (given the degree of contact) positive attachment between he and Victoria. His strong desire and capacity to share a nurturant relationship makes him an attractive figure to Victoria who readily reciprocates his affection. Unfortunately, the magnitude (generated by personal unfulfilled needs versus appreciation of Victoria) and nature (peer-like and possessive) of his affection for Victoria while clearly satisfying to her, could have serious long-term negative consequences. However, psychological testing and specialized interview techniques with Victoria revealed no evidence of any inappropriate sexual contact between Michael and Victoria. On the other hand, on the basis of psychological testing, interviews and family observations with Michael, he exhibits virtually all of the characteristics associated with parents who engage in incestuous-type relationships.

5. An extraordinarily high degree of conflict exists between the three parties. The magnitude of conflict stems from 1) the betrayal of trust extant in their relationships with one another around the issues of fidelity, paternity and broken legal agreements, 2) marked personality dissimilarities between Michael and Gerald, 3) Gerald's felt need to assume the role of Carole's protector, 4) the antithetical coping styles of Carole and Michael. Ironically, both have much in common with respect to their impulsivity, tendency toward egocentricity, and underlying feelings of inadequacy. However, each deals with personal distress in opposite ways—Michael through rumination and sensitization, and Carole through repression and flight. This contrast in coping styles predisposes them to interpret the other's (defensive) actions as antagonistic toward them; 5) It is the suspicion of the

examiners and Victoria's therapist that Michael (at a conscious level) and Carole (at an unconscious level) retain a positive attraction for one another, although both deny such feelings. Their mutual anger, or course, gives strength to their denial.

6. Three general family structures are potentially available to Victoria: 1) Carole as primary caretaker, 2) Michael as primary caretaker, and 3) Carole and Michael sharing caretaking responsibilities. On the basis of inferences drawn from our cumulative observations and impressions, *each* of the alternatives would approximate a "World of Abnormal Rearing" (Helfer's term for parenting of abused children) that would predispose Victoria to future emotional and social problems.

In the first instance she would likely be exposed to a pattern of fluctuating nurturance/relative neglect by her mother in a sequence of households of changing composition. In the second instance she would experience an indulgent enmeshed relationship with Michael that would be likely to contain elements of role reversal in which she would experience responsibility for satisfying his emotional needs. This type of relationship would carry a higher than base-rate *risk* of inappropriate sexual contact, although the probability of such behavior would be low (and cannot be confidently predicted several years into the future). In the third instance Victoria would be exposed to not only Michael and Carole's high level of conflict in Victoria's attempt to identify with both parents but she also would be exposed to divergent interactional and behavioral styles and expectations. Moreover, it is likely that each parent's antagonism with the other would significantly impair their ability to focus their energy on Victoria's needs. Thus, in-

stead of complementing one another's deficiencies, it is more likely they would end up detracting from one another's strengths.

7. Victoria is a developmentally competent 3½ year old of above average intelligence. She is a strong-willed and fairly independent youngster who takes pride in her accomplishments. While she demonstrates some stress in reaction to her current circumstances, she generally exhibits low anxiety. She is positively attached to all three parent figures, *principally and equally*, Michael and Carole. She seems to have low difficulty separating from each by practicing "isolation" i.e., seemingly cutting off her feelings for one when moving to the other. Both Victoria's therapist and the current examiners did note however that Victoria appeared angry at times at her mother. It was suspected that her relationship with Michael has contributed to these feelings.
8. Actualization of any of the three potential parenting structures available to Victoria has a greater probability of resulting in a long-term negative outcome for her development than in a positive outcome. Among the three choices the present option for a shared/conflicted parenting plan appears to have the greater likelihood of being detrimental to her development.

In light of Victoria's temperament, intellect, and present personality structure it appears that the assignment of her Mother as principal caretaker (leading to a possible parenting pattern of fluctuating neglect) might be less detrimental to Victoria's long term development as opposed to assigning principal responsibility to Michael (leading to a possible parenting pattern of indulgence and role-reversal).

SUMMARY OF CONSIDERATIONS PERTAINING TO RECOMMENDATION

1. In the absence of any history of parental behavior that would be considered "endangering" or formal "neglect" by the standards of Child Protective Services; and moreover in the absence of any demonstrable behavioral or developmental deficiency or problem in Victoria, we are not inclined to consider removing her from the care of her current principal caretaking figure.
2. In light of our reservations regarding Michael's current personality functioning and how this predisposition appears to manifest itself in defining the magnitude and nature of his relationship to Victoria, we cannot recommend he be assigned major caretaking responsibilities at this time.
3. In light of the high degree of conflict between all parties, we believe that the potential benefits of having the parties share in the parenting of Victoria even to the extent of fostering "reasonable" or "standard" visitation schedule are strongly outweighed by the potential harm to Victoria (as outlined in detail in the Table at the conclusion of the following section).
4. The relative advantages to Victoria of remaining in her Mother's care while maintaining highly restricted contact with Michael at this time is increased in light of the principal social-emotional tasks associated with Victoria's current developmental stage. At this point in her development Victoria is forming a social (versus family) and sexual identity. Intensifying the relationship between Victoria and her Mother (by limiting her contacts with Michael) will facilitate her acquisition of an appropriate gender identity. Alternatively, given her Mother's less consistent and relatively lower warmth contrasted with Michael's indul-

gent warmth and ambivalent attitudes toward women, she would be more likely to grow up more conflicted about her worth as a female. Just as importantly, under her Mother's care rather than Michael's she is more likely to develop a more accurate sense of limits related to her personal competency in general and responsibility for others. Consequently she should be better able to face the challenges of the next stage of life (focusing on school achievement) without the burden of excessive self-restraint or omnipotence.

5. Michael's current degree of social isolation poses another relative disadvantage in considering assignment of major parental responsibility to him at this time. Carole's relationship network (whether with Gerald and his family or others) offers Victoria the opportunity to interact with, learn from, and be nurtured by others who might compensate for some of Carole's inadequacies. Such opportunities or "buffers" would be unavailable in her relationship to Michael. More importantly, the absence of intragenerational friends increases the likelihood that Michael will establish a highly enmeshed relationship with Victoria characterized by role reversal, i.e., in which she will be expected to satisfy his needs (to be loved) as much as receive satisfaction of her needs from him.
6. While we believe for all of the aforementioned reasons that Michael's caretaking responsibilities and interaction with Victoria be strictly limited, especially at the present time, we believe it is important for Victoria that he be permitted to remain a member of her family. We do not make this recommendation because we believe his status as either a psychological or biological parent entitles him to such a position. Nor do we make this recommendation because we believe any child, or even Victoria, necessarily and automatically benefit from "The Truth" regarding his or her heritage. Rather, we make this recommenda-

tion because we perceived Michael as the single adult in Victoria's life most committed to caring for her needs on a long-term basis. On the basis of historical data and inferences based on psychological examination, we suspect that neither Carole nor Gerald will prioritize their parental role in life over their personal/social roles, to the degree that could be expected of Michael. Consequently, while we believe that encouraging a close relationship between Michael and Victoria over the next two to three years could have serious risks to Victoria's long-term development, we believe excluding Michael from her life would pose even greater risks.

7. Victoria's living circumstances up to now have been highly unstable. Her older brother's pattern of rearing, while much less chaotic, was also characterized by exposure to multiple and shifting caretakers. The degree of impulsivity, stimulation-seeking and dependency that Carole presently exhibits further contributes to our belief that it is impossible to predict the quantity and/or quality of father-figures and/or substitute caretaking figures Victoria may be exposed to in the course of her childhood. On the basis of our interviews and the results of psychological testing we believe Michael rather than Gerald can be expected to take a more active interest in guaranteeing protection, should such action be required.
8. In the event that it becomes important for Michael to assume primary caretaking responsibility for Victoria in the future, it is imperative he receive psychological treatment to address those personality characteristics cited earlier in this report as potentially detrimental to his parenting of Victoria. The probability of Michael benefitting from psychological therapy addressing these underlying personality issues is guarded. His openness to change is limited by a number of factors: his reliance on pity and blame to remove

responsibility from himself, his long-standing lack of trust in others reflected in low self-disclosure and the rigidity of his defenses (rationalization and intellectualization) that permits him to retain a self-satisfying anger with others. Thus while it was readily apparent that Michael can alter specific behaviors in response to feedback (e.g., in response to the examiner's previous testimony), it is less likely that he will be able to modify these underlying personality issues without intensive effort. On the other hand, given Carole's avoidance of tension, readiness to act-out/externalize internal conflicts through rewarding interpersonal behavior (i.e., "fun") and failure to act on information provided in the examiner's previous testimony, there is an even lower probability of her benefiting from psychological treatment to modify her parenting practices.

9. We believe it is beneficial to Victoria that she be permitted to maintain a relationship with Michael over the next two to three years. She and Michael share a strong positive, mutual attachment. It would be unnecessarily hurtful to deprive her of his affection and intellectual stimulation. At the same time we believe it could be detrimental to Victoria for she and Michael to share a more normalized parent-child relationship for all the reasons cited previously.

We believe it would be *optimal* for Victoria to experience a more expanded and normalized relationship with Michael. However, we are apprehensive regarding the consequences of fostering such a relationship at this time. Put more directly, at this time we are inclined to recommend what we see at *safest* as opposed to what we see as most *optimal*.

We make these recommendations with full appreciation of the depth of Victoria's attachments to Michael and the magnitude and longstanding nature of Michael's commitment to care for Victoria.

If our evaluation were focused upon a contest of devotion or a contest of parenting skills, the current recommendations would be very different.

Finally, with empathy for Michael's potential reaction to this report, we hope he will understand our belief that for adults love is never a right, just a gift; not an expectation but a simple blessing of fortune. Thus, in its loss there is no compensation; only sadness and more love.

PRINCIPAL FINDINGS

Carole

"Carefree, joyful, fun and out for a good time" was how Carole described herself at the initial interview. Her account of her life suggests that until recently she had been successful in realizing this description. External pressures and responsibilities had been and continue to be ignored, e.g., failure to pay taxes, refusal to use contraceptives, ignoring court order, and currently maintaining a highly limited awareness of the court conflict (e.g., unsure of what would transpire on the next court date and what action to anticipate subsequently). Internal tensions were just as easily discharged through multiple sexual relations (referred to as "blasting off"), and other forms of acting out, including, we suspect, excessive alcohol use (e.g., "when things get rough, I get carefree").

Carole's pursuit of immediate gratification and intolerance of internal or external conflicts and negative affects appears to have its origins in early childhood during which she felt she could "never do anything right" and in which she suffered the loss of her older brother when she was six and experienced her mother's subsequent emotional withdrawal. Thus underneath a gay exterior, Carol exhibits underlying feelings of inadequacy, dependency, and repressed anger. Consequently she pursues

closeness with others only to flee when she achieves it, unable to tolerate the tension that is endemic to all relationships. This characteristic was clearly evident on projective personality testing. It was exemplified in her relationship to her son Joey whom she left with her mother at age three, to pursue a modeling career, explaining, "It was better to go than to have the resentment (at him)". A reluctance to experience negative feelings toward Victoria was evident in Carole's completion of the Connor's Behavior Checklist. Although she clearly has the most difficulty managing her behavior among the three adult figures interviewed, she cited the fewest behavior problems with Victoria.

Failure to recognize and resolve conflict ultimately impairs one's ability to share intimate relationships. Carole's capacity for intimacy seems clearly impaired. For example, she described relationships with men in Europe as "hit and run", and after a year-long relationship with Scott terminated their relationship, complaining "He was getting on my nerves; he wanted to get married". Furthermore, her "bi-coastal marital relationship" with Gerald was initiated only when she was approaching her departure from Europe, and culminated in marriage only after he sold his belongings and relocated from Paris to Los Angeles.

When conflict or closeness become uncomfortable Carole flees. Her history of multiple relationships within the course of her marriage to Gerald are testimony to this pattern. Asked how she coped with leaving Michael to go to Europe after first initiating a love affair, she answered (with characteristic blightness), "Out of sight, out of mind". When Carole cannot put an old relationship out of sight she may rely upon distortion to achieve a tolerable emotional distance. Thus despite her firm and repeated conviction that Michael was "crazy" or "off" she could offer very little confirming substantiation

with respect to his behavior (e.g., jogging when he had a migraine, wearing contact lenses when his eyes were "bleeding"). Moreover her explanation for past events, i.e., reason Michael moved in, alleged threats against her welfare and Michael's inappropriate (immodest) behavior around their apartment appeared to contain elements of distortion. The most obvious distortion of his role in her and Victoria's life was manifest in the conjoint interview with Michael and Gerald when Carole asserted, "He (Michael) doesn't feel or act like a Dad! Suddenly it's the issue". Carole could not answer Michael's question "When did I become bad?" because she may very well not have conscious awareness of the answer. The answer in all likelihood is when their relationship became too close.

Carole's ability to distance herself from Michael is seriously compromised by the need to have Victoria with him. It seems to us (independent of our own assessment of Michael) that Carole's desire to terminate Michael's contact with Victoria is motivated more by her personal need to avoid self-resentment rather than by any objective assessment of Michael. Thus she asserted her wish that Victoria does not "pick up his attitudes" and reported "when I see him I feel angry and disgusted with myself".

Carole's difficulty with intimacy is likely to have consequences in her day-to-day parenting as well as her short-term relationships with peers. For example, Gerald is largely responsible for preparation of meals and when Victoria plays in her bath, Carole may rest in an adjacent room. During the last two weeks of Victoria's six-week stay in New York the couple hired a full-time, in-home teacher/caretaker for Victoria.

In the clinic Carole exhibited limited tolerance for Victoria's clinging (to Gerald) or limit-testing behavior. She never demonstrated any authority in their relationship nor did she initiate or share physical affection with

Victoria. Carole did not initiate play behavior with Victoria. Play that Victoria initiated between her and her Mom was largely void of imagination or interactive elements, in marked contrast to play between Victoria and Gerald or Michael. Consistent with these observations, within the clinic Victoria not only seemed to prefer the company and affection of her father figures but in general seemed to relate better to the male examiner than the female examiner, suggesting the behavior observed within the clinic may be an example of the Mother-daughter interaction in general.

All of the foregoing observations obviously have negative prognostic implications with respect to the anticipated quality of Victoria's long-term relationship with her mother. At best it suggests a relatively low prioritization of the parental role for Carole, at worst it resembles a fluctuating pattern of mild emotional neglect.

Gerald

Gerald is an intelligent and sensitive gentleman. In interviews any psychological testing he was at all times direct and open. His observations were insightful, generally objective, sometimes witty, and sometimes poignant.

Gerald maintains a somewhat passive relationship to events characteristic of an artist; someone who seeks to understand and appreciate events more so than simply experience or master them. His atypical responses to projective personality test items reflected this passivity and distancing. In response to an inkblot normally seen simply as "a butterfly", he perceived "A strange flying animal . . . that exists in your imagination". In response to a card depicting a small boy and a violin he told a story of the boy dreaming to play but refusing to. "He knows what sounds can come out of it. Art is best in fantasy".

Life too is sometimes best in fantasy. After learning from Michael and Carole on Victoria's first birthday that Victoria might not be his child, he reported withdrawing to his apartment and sitting and drawing for days. He was quite aware of Carole's history of infidelity but had a very imprecise knowledge of dates and facts. "I never wanted details", he explained, and went on to say, "This debate (current conflict) is higher than that . . . it is a tragedy for everyone".

Gerald was quite literally born into a "fantasy world". On the day he was born in France, 1940, his father was arrested by the Germans. Ten days later his Mother died. He was raised by his sister (eighteen years older than he) who he called (and still calls) Mother. She had four other sons (his nephews) who he always related to and identifies as his brothers. His biological father re-entered his life at the end of World War II when he was five. But Gerald was unwilling to treat him as a Father but, like his "brothers", related to him as his grandfather.

Obviously Gerald engaged in considerable "fantasy" to maintain his reality of family. In this regard the parallel between his own family (i.e., Carole and Victoria) and his family of origin is striking. He maintains strong loyalty and emotional and financial support for a wife who for the last several years has lived principally with other men and a daughter who may very well not be his logically his.

Gerald recognizes that he has failed to assert his needs in the past with respect to his relationships with Victoria and Carole. Presently he is acting assertively to defend Carole's interests in the current conflict. It is not at all clear he experiences self-interest to defend.

He asserts and we believe clearly experiences a real attachment to both Carole and Victoria. He asserts Carole

has "never left him mentally" and regardless of Victoria's biological heritage he experienced himself as her father for the first year of her life and thus no "facts" to the contrary can erase that feeling presently. Simultaneously, his emotional commitment to both appears passive or entirely reactive to their needs.

He was very frank in discussing his perception of Carole's inadequacies as a mate and fantasies he has entertained about other relationships. Asked if he anticipates she will stay with him, he answered, "I think so. No one can tell". Asked if he thought she would return to Michael, he paused smiling and said, "... maybe someone else". In fact, after a visit with Robin Drapkin, Carole, in leaving the office, spontaneously wondered aloud "where (she'd) be this time, next year". Given the history of her relationship to Gerald it is a most reasonable question to ask.

Gerald demonstrates a similar nonpossessive attitude toward Victoria. Unfortunately a nonpossessive relationship to a child could also be nonprotective. When asked what he would do if Carole were ever to move in with someone he thought might be detrimental to Victoria's well-being he said he had never considered that possibility, but he would take action "if he were Michael multiplied by ten and had a really bad effect on Victoria".

At present on the basis of all our observations, Gerald clearly demonstrates the capacity to be a fine parent and role model (although a rather poor disciplinarian). Victoria clearly enjoys his company and seeks him out for comfort. His interest in enacting this role on a full-time basis appears, however, most questionable. His descriptions of his interactions with Victoria and what he most enjoys about her were all clearly adult-oriented and consistent with his statement about his interests, i.e., that he was "only happy in the art world". Speaking spon-

taneously he related a fantasy of being with Victoria at a Paris cafe sharing her company when she was seventeen.

In general it is difficult to discern whether Gerald does not actively pursue a relationship with Carole and Victoria because he finds conflict so aversive or because he loves the idea/ideal of a family more than the day-to-day experience of one. In either case, he demonstrated relatively limited motivation (in contrast to capacity) to make providing for Victoria's current psychological needs a priority in his life.

Michael

The story of Michael's birth is the story of Michael's life. He reports he "was an identical twin but the other turned into a tumor. I was the survivor". His whole life seems to center around a struggle against loss and rejection. He described a childhood of emotional deprivation in which his Father was older and ill and would not play with him, while his Mother prepared "frozen foods". The day before he graduated from college his Father died. Later his Mother committed suicide and blamed Michael. He married and fathered a son who was born retarded and deformed. He quit law school to support his family, then left them.

Psychological testing suggests he possesses strong unmet needs for affection and dependency and underlying feelings of inadequacy fused with strong aggressive drives. He experiences himself as a victim. This self-concept aids in his extensive rationalization of his aggressiveness.

All of these themes were repeatedly manifest throughout our interviews. Before he was a victim of Carole he was a victim of his parents. He described himself in general as "vulnerable" because he "cares and loves". When asked what he sought in the present litigation he would reply "I'm in no position to demand". He informed the

examiners we could not understand what it was like "not being with your children".

There is an underlying subtle yet clearly aggressive tone in describing his pursuit of heterosexual relations reflecting a desire for domination along with neediness. For example, he spoke proudly of a work situation in which there were "six women under me", talked of a previous girlfriend as "willing to do whatever you wanted" and a current woman friend as willing to "give me as many children as I want". In describing his first sexual encounter with Carole he spoke of when she "gave herself to me". He also asserted that "other men in her life let her do anything; this is not healthy and productive for her".

In addition to being controlling his aggression takes the form of intrusiveness. He asked the examiners a number of questions regarding Gerald (i.e., is he sterile, what did he know of Carole's affairs, etc.). He had surreptitiously checked out whether Carole was subletting her apartment and knew two bedrooms were empty.

At times, with the examiners and with Carole and Gerald he was rigidly argumentative and acted in the style of an interrogator. This seems to be the most direct form his anger takes; i.e., argument supported by facts (pertaining to how he has been wronged). He showed us files he keeps on individuals with whom he comes into contact (related to and unrelated to the current litigation). This obsessive collection of material appears to indirectly satisfy the dual drives of need to belong and be connected with others while serving as a channel for his aggression.

He aggressive pursuit of affection now is turned fully onto Victoria. As he said, "I have nothing to do but think about these things". His lack of other pursuits or friendships is a sad testimony to the self-defeating nature of his angry-victim stance in the pursuit of closeness.

His affection for Victoria contains elements of identification and perhaps magical thinking. He asserts she came through the failed abortion attempt because she was a twin (like himself, her twin was killed). At another time he asserted, "She is from my seed. She is part of me and I am part of her". He referred to her birth as divine intervention and destiny.

He does possess empathy for her. He told the examiners he does want to harm her and fears "If I go to court and win—she'll be pulled—and this could be harmful because her Mother is against it". And he cried when asked what he would do if told the best thing for her would be for him to "walk away".

However, in general, his identification with her, her own neediness and his possessive love toward her cloud his ability to differentiate his needs from hers. For example, he asserted, "All I have is my daughter. She loves me and I love her. There's no reason I should be forced to give her up". More seriously, his attitudes toward her and the depth of his neediness could potentiate a reversal of roles or establishment of a peer versus parental relationship. On the Roth Mother-Child Inventory he endorsed the item, "A child is an adult in small form". On recent visits he has taken her to eat at a French restaurant and twice bought her bouquets of flowers.

As suggested by the foregoing his relationship with Victoria tends to be overly intrusive. Michael says he most enjoys activities in which he makes an impression on her, i.e., exposes her to things, teaches her, etc. He asserted his felt importance of making an effect on her during her "impressionable years" even if that meant moving from city to city. he reported that in addition to at least a standard visitation schedule he would hope to call her three to five times per week and also send her tapes.

It seems likely to us that in the course of these contacts both his own neediness and his tremendous anger at Carole will be communicated. For example, he related to Dr. Drapkin that he tells Victoria when she is away he will be O.K. because he can sleep with her stuffed animals which will keep him company. Victoria has reportedly told her mother after visits that she is sad for her Daddy who is lonely. In addition he told the examiners he would explain to Victoria why he and Carole were not living together by relating that "since we can't get along (her) Mother decided to live with someone else". In Dr. Drapkin's playroom Victoria asked, "How come Mommy doesn't like you?" and Michael responded, "I don't know. I like her". In fact, Victoria demonstrated anger on several occasions toward her Mother in the company of the examiners and with Dr. Drapkin. While this may represent distress associated with the loss of her "Daddy", this form of distress is usually more generalized both in the form it assumes and at whom it is directed. Anger alone directed specifically toward her Mother may very well represent an identification with her "Daddy's" attitude.

All of the foregoing raise serious questions about the quality of relationship Michael could be expected to establish with Victoria at the present time and also how that relationship would impact Victoria's relationship to her Mother. Nevertheless, it is important to note that these qualities were not observed in the interaction observations between Michael and Victoria held following the examiner's court testimony. We are not ready to conclude, however, that these qualities represent "unrealized potentials". Rather there was a highly noticeable modification in Michael's verbal and overt behavior in areas commented upon by the examiner in the previous court testimony (e.g., separation behavior, expressed attitude toward Carole and specific declaration of plan for continued contact with Victoria). On the one hand this indi-

cates Michael is amenable to modifying his behavior toward Victoria in response to feedback. On the other hand, it indicates Michael was more sensitive to impression management in this last series of interviews. Consistent with the latter inference comparison of pre- and post-testimony Minnesota Multiphasic Personality Profiles indicates considerable increase in scales reflecting defensiveness and a wish to extol one's virtues. Also, at times in the interviews Michael would inform the examiners that "I know you're trying to pin me down".

Nevertheless, the interaction observations clearly indicate that a strong positive mutual attachment exists between Victoria and Michael. Despite Carole's reference to him in front of Victoria as Michael (and communication of negative attitude in general, as suggested by the structured Mother-child observations), Victoria still, on occasion, refers to him as Daddy and on every occasion related to Michael with warmth and comfort. More importantly, Michael demonstrated *exceptional parenting skills* in helping her deal with initial separation, in facilitating a transition in care back to Carole and Gerald, in obtaining her compliance, stimulating her interest, and reinforcing her self-pride.

In summary, when (in an individual interview) Michael asserted, "We love each other" he was telling the truth. It is the long-term implications arising from the quality of that love as inferred from data consistent across the clinical interviews, psychological testing and history information that is so troubling. The quality of this love and moreover, specific characteristics of Michael's personality functioning resemble a pattern seen in incestuous fathers. Certainly the data from the clinical interviews suggest an "emotionally incestuous" predisposition. Moreover, a completely blind analysis of the projective tests by a third party Dr. Stephen J. Howard raised questions regarding the *risk* of a sexual relationship be-

tween father and daughter; in all areas his analysis was entirely consistent with the independent interpretation of data by the examiners.

VICTORIA: PROGNOSTIC IMPLICATIONS OF DIFFERENT PATTERNS OF REARING

In the following table we have attempted to specify the personality characteristics Victoria may be anticipated to exhibit by the conclusion of her childhood given the three major parenting paths open her at this time. In advancing these projections we have taken into consideration 1) Victoria's intellect, temperament, and current coping style, 2) specific observable parenting skills of Michael and Carole, and 3) the potential impact of each as role models, as well as 4) the global parenting style we anticipate they will enact given our individual assessment of each. These speculations do not include the impact Gerald or other (currently unknown) figures may make in Victoria's life. Lastly, since we are more concerned with arriving at the "safest" versus "most optimal" decision regarding Victoria's well-being we have assumed "bad-case" (though not worst-case) scenarios in generating these predictions.

PROGNOSTIC IMPLICATIONS

PSYCHOLOGICAL DIMENSIONS	"FLUCTUATING MILD EMOTIONAL NEGLECT" (Carole)	ROLE-REVERSAL INDULGANCE (Michael)	CO-PARENTING CONFLICT (Michael as visiting parent)
Realistic appraisal of self, others & environment	Distant; Distrustful but aware of consequences of own actions	Unrealistic Omnipotence	Self-Centered ("The Prize")
Openness to Experience	Moderately Open	Open	Cautious regarding new experience (may elicit conflict)
Emotional Awareness	Identifies feelings Range is restricted No reward for feeling	Difficulty differentiating others' feelings from self	Can define <i>others</i> feeling --not her own
Capacity for Intimacy	Low Warmth Low Trust Low Sensitivity	Trust (when young) Low trust--older Low Sensitivity	Impaired Trust & Warmth High Sensitivity
Self-control	High	Low	Med. frustration tolerance & capacity to delay impulsive Heightened anxiety
Socialization	Low	Modeling questionable Limits appropriate	Low
Problem Solving	Modeling poor, Potential for self-acquisition fair	Very Good	Good in areas related Social Manipulation

PROGNOSTIC IMPLICATIONS—Continued			
PSYCHOLOGICAL DIMENSIONS	"FLUCTUATING MILD EMOTIONAL NEGLECT (Carole)"	ROLE-REVERSAL INDULGENCE (Michael)	CO-PARENTING CONFLICT (Michael as visiting parent)
Independence	High	Low individuation Pseudo-maturity	Self-help good Individuation impair (poor integration)
Interpersonal Achievement	Fair to good (Nurturance from peers)	Play interaction will facilitate intellect, develop.	Other needs take precedent over achievement
Self-Satisfaction	Low	Stimulation seeking Hedonistic Materialistic	Joyless, Self-Centered Limited external investment
Expression of Sexual Identity	Sex fused with Affection	Ambivalent-powerful & bad at puberty. Sexualized	No consistent positive sense of self

It should be readily apparent from reviewing this table that there is no means of arriving at a quantifiable assessment of the relative merits of one plan over another. Furthermore, in light of the highly speculative nature of this enterprise such an effort would be impractical.

Nonetheless, by contrasting the global features of each pattern, differences become clearer. In the first case Victoria might be anticipated to grow-up as a relatively independent and moderately outgoing youngster. She will nonetheless retain a high degree of emotional reservedness and consequently may be at risk of possessing a limited capacity to establish close relationships. She might be expected to maintain an underlying critical and cynical outlook on life. She will probably be highly rebellious while simultaneously exhibiting underlying (repressed) neediness. In the second case Victoria will probably grow up to be an outgoing and self-confident youngster, who will nevertheless experience chronic underlying conflicts around dependency upon others. She may be expected to be demanding of others, and perhaps, also of herself, and have difficulty empathizing with others. In general she will be at risk of developing into a narcissistic and stimulation-seeking adolescent/adult.

In the third instance Victoria is most likely to develop into a self-centered youngster who will experience a high degree of tension (or, more likely, from "character armor"/defenses that will tend to insulate her from others). She will be at risk of developing a "hollow-self" lacking awareness of her own needs and thus often in pursuit of things which will not satisfy. She is likely to be manipulative in her relationships and at risk of experiencing a limited capacity for intimacy along with an impaired ethical structure. She would be at risk of experiencing conflicted feelings and attitudes in many areas and would be likely to exhibit lower scholastic achievement than might be predicted from the other two parenting patterns.

In all fairness, we do not expect Victoria to resemble a youngster nearly as disturbed or distressed as each of the three scenarios suggest. We have learned, working with children, that the human spirit is remarkably resilient. Nevertheless in providing these "bad case scenarios" we think two things may be clear: 1) It is imperative that Michael and Carole re-examine their parenting practices and 2) the different global styles—although each a form of "Abnormal Rearing" have different consequences for Victoria by the time she reaches late adolescence. In the first case she is most likely to be a youngster who is difficult to relate to but who brings distress primarily to herself. In the second case she is more likely to grow up to be a youngster who causes others distress. In the third case she is most likely to experience both intrapersonal and interpersonal problems.

As parents we would wish none of these alternatives on her. As members of the general (as well as professional) community we would select the first alternative. In the meantime we would hope that Michael undertakes a course of intensive self reevaluation so he might subsequently contribute in a more substantial and clearly positive manner to Victoria's welfare.

RECOMMENDATIONS

1. Michael should be recognized as a legal parent of Victoria.
2. Sole legal and physical custody of Victoria should be awarded to Carole and Gerald Dearing.
3. Michael shall be granted visitation with Victoria for two consecutive weekend days for a period of five hours on each day at six week intervals. In addition, he should have three hour visitation periods with Victoria on her birthday and Christmas day. All dates and times should be specified by court order. Visitation periods shall be unsupervised. Unless other-

wise agreed, transition points shall be at the primary residence of each party. The parties should alternate responsibility for traveling to the residence of the other (on each one or two day visitation period). However, they should share jointly in costs incurred for transportation (beyond 150 miles) per each visitation period. Responsibility for transitions and/or transportation may be delegated by either party to a substitute (nonparental) figure.

4. Telephone contact with Victoria shall be limited to two *scheduled* calls between each six week visitation period. Correspondence should be limited to one parcel or letter between each six week period.
5. It is hoped that Michael will initiate a course of extended (e.g., eighteen months) once or twice weekly individual psychotherapy to address the concerns related in this report. It is similarly hoped that Carole will do the same or at least undertake parenting classes to assist her in ameliorating those concerns relating to her in this report. It is not critical that either party waive privilege in taking this step; that is initiate therapy as part of a stipulation or court order. In fact, it may be preferential that they *not* do so to facilitate effective treatment rapport.
6. It is recommended the court *presently* order a re-evaluation of the family to determine whether the current proposal is, in fact, best meeting Victoria's needs. The re-evaluation should be ordered to commence in June of 1987.
7. It is the intention of these recommendations that contact between the parties, of all forms (correspondence, telephone and direct) be kept to an absolute minimum.
8. When the court determines the extent and manner in which Michael might contribute financially to Vic-

toria's support, we suggest such an order address the issue of prior support checks Michael has written in preceding months which are presently in Carole's possession but still uncashed.

9. We maintain the hope that the next two and a half years can serve as a "cool-down period" for all parties during which they might 1) reduce their currently high levels of interpersonal reactivity, 2) acquire some measure of limited trust, and 3) enhance their personal psychological functioning for Victoria's sake. As observers of human behavior we do not really expect any such changes to take place. We nonetheless believe it will be imperative to Victoria's well-being to have an impartial professional review the actions we take presently to insure they have not been further detrimental to this little girl. At that time the court should be permitted to critically review the previous actions and current psychological status of each party to determine whether Michael's relationship to Victoria should be expanded, terminated, or maintained.

APPENDIX

Psychological Dimensions of Well-Being

1. *Realistic appraisal of self, others and environment:* Parents can accurately assess their personal strengths and weaknesses, and can assess and predict their own and others' motives and actions. Young child has an accurate expectation of own abilities and able to predict actions of others.
2. *Openness to experience:* Parents are receptive and accepting of external experiences. Young child takes on new challenges and is curious about the environment.
3. *Emotional awareness:* Parents are introspective and can identify, differentiate, and accept a normal range of feelings regarding themselves and others. Young child possesses an emerging capacity to identify different feelings in self and others.
4. *Capacity for intimacy:* Parents manifest trust, empathy and appropriate nurturance toward others. Young child manifests trust, warmth and sensitivity.
5. *Self-control:* Parents exhibit age-appropriate control over internal (e.g., freedom from distractibility and delay of gratification) and external (e.g., stress management and frustration tolerance) sources of motivation. Young child demonstrates age-appropriate attention span, ability to delay gratification and tolerance of anxiety and frustration.
6. *Socialization:* Parents and children demonstrate responsibility by respecting the rights and property of others.
7. *Problem solving:* Parents and children employ logic and constructive fantasy in exploring alternatives to problems, and appreciating the consequences of their solutions.

8. *Independence*: Parents exhibit age-appropriate physical, social, and emotional independence (i.e., individuality). Young child develops age-appropriate self-help skills and can play alone.
9. *Interpersonal achievement*: Parents affect the environment to achieve rewards through personal initiative, assertiveness, and industry. Young child initiates interaction, openly expresses needs, and persists at difficult tasks.
10. *Self-satisfaction*: Parents and children affect their environment for personal satisfaction through play, creativity, humor, hobbies and spirituality.
11. *Expression of sexual identity*: Parents and children exhibit socially condoned and personally satisfying expressions of sexual identity.

DECLARATION OF MICHAEL HIRSCHENSOHN

I, Michael Hirschensohn, hereby declare:

1. I am the Plaintiff in this action. If called to testify in this matter I would testify to the following information, all of which is known to me of my own personal knowledge. The exhibits attached to this Declaration are photocopies of original documents. The original documents are in the possession of my attorneys and are available for inspection through their offices.

2. Since July of 1981 when Victoria Dearing was two months old, I have considered myself to be the father of Victoria Dearing and I have acted as her father. I believe that I am her father and that she was born as a result of sexual intercourse between myself and her mother which occurred in September, 1980.

3. For the past eight years I have been engaged in various businesses in the Caribbean Islands, including involvement with a television game show in Puerto Rico and various businesses related to the tourist industry in the United States Virgin Islands. However, my principal place of residence for the past sixteen (16) years has been Los Angeles, California. In conjunction with the tourist businesses, since 1979 I have spent part of each year in the United States Virgin Islands and part of each year at my home in Los Angeles.

4. During June, 1978, I was residing in Los Angeles, California in Playa Del Rey. During that summer, I met the Defendant in this case, Carole Singleton. I spent July 4, 1978 with Carole and we had sexual intercourse during the middle of July, 1978. During the time we were together in the Summer of 1978, Carole was depressed and crying and said she was very unhappy with her marriage to Gerald Dearing.

5. In November, 1978, I returned to the United States Virgin Islands.

6. From January 5, 1979 to January 9, 1979, Carole visited with me in St. Thomas and we again had sexual intercourse with each other. Throughout the remainder of that year, 1979, I had sporadic contact with Carole both by telephone and letter.

7. At the end of June, 1980, I returned to Los Angeles from St. Thomas. I arrived in Los Angeles the same day that Gerald Dearing was leaving Los Angeles. Carole and I began to see each other on a regular basis during July, August and September, 1980. Even when Gerald, Carole's husband, was in Los Angeles during that time, Carole and I would continue to see each other. Carole told me that she and Gerald were using separate bedrooms with her bedroom being the one in the back of the apartment, the one I could see from my nearby apartment. Carole would wave to me each night we were not together from her bedroom and allowed me to watch while she readied herself for, and got into, her bed. Carole told me that she and Gerald had separate bedrooms because they were no longer having sexual intercourse with each other.

8. On August 15 and 16, 1980, Carole and I went to Oxnard to visit with her brother. We stayed at the Casa Sirena Motel. A copy of the bill and the credit card charges are attached as Exhibit A. Carole used my credit card at the restaurant and to pay the hotel bill. She signed her name as "Carole L.H." We had sexual intercourse with each other while staying at the Casa Sirena.

9. During the first week of September, 1980, I was with Carole and again had sexual intercourse with her. We would regularly go to a place called Hot Tub Fever and we had sexual intercourse there with each other and in other locations on several occasions during the early part of September, 1980.

10. On September 17, 1980 and September 18, 1980, we were again in Oxnard at the Casa Sirena. The bill

and charge card slip are attached as Exhibit B. During our stay, we had sexual intercourse with each other several times.

11. On September 22, 1980, Carole and I saw a chiropractor named Dr. W.T. Arnold. Carole used the name Carole Hirschensohn for the visit and I paid for the visit. A copy of the check is attached as Exhibit D.

12. During 1980, Carole was having difficulty with the Internal Revenue Service and faced the possibility of a criminal indictment. The Internal Revenue Service was willing to accept payments to resolve the matter. At her request, on October 2, 1980, I loaned Carole \$1,000.00. That loan has never been repaid. A copy of the check is attached at Exhibit C.

13. On October 4, 1980, Carole left for Paris for a modeling job. Soon after arriving in Paris, Carole called me in Los Angeles to tell me that she was pregnant and was going to have an abortion. I asked Carole to reconsider, to divorce Gerald as we had discussed and to marry me so that we could raise a family. She said she could not do that at the time because of her problems with the Internal Revenue Service.

14. By a letter dated October 7, 1980, but which must have been written on November 7, 1980, Carole told me that she had had the abortion on October 31, 1980. A copy of that letter and the envelope in which it was mailed is attached as Exhibit E.

15. Sometime between January 10 and 15, 1981, I found on my answering machine in St. Thomas a message from Carole saying that it was urgent that she see me as soon as possible. I was on my way to Florida at the time and extended my trip to take in Los Angeles. Carole had returned to Los Angeles on January 17, 1981.

16. On January 18, 1981, I went to Carole's apartment at her request. She told me that she was five months

pregnant and that the abortionist had terminated one fetus but that there had been twins and the other fetus had been missed.

17. My previous child from my first marriage had been born with severe developmental disabilities as a result of a genetic disorder known as Lawrence-Moon Beidel syndrome. Carole was quite concerned that this child might have the same problems. As a result of that concern, between January 19 and 26, 1981, we spoke with personnel at the Genetic Clinic at the University of Southern California. The physician at the Clinic, Bill Herbert, told us that the odds were against a recurrence and that the pregnancy could continue.

18. On January 27, 1981, I left Los Angeles to return to St. Thomas so that I could look after my business.

19. In mid-March, 1981, Carole called me and told me that she still loved me.

20. On May 11, 1981, Victoria was born in Los Angeles.

21. Sometime between May 11 and 18, 1981, Carole called me in St. Thomas to tell me that the baby had been born and that the baby was a girl she had named Victoria. She also told me that the baby was one month premature and had been born with a collapsed lung.

22. On June 27, 1981, I returned to Los Angeles for the summer and I was living in Playa Del Rey and sharing a house with Bill Peiffer and Barbara Blazer.

23. At the end of July, 1981, Carole came up to me on the beach and slipped something in my pocket. They were baby pictures of Victoria. She had written the date of the pictures on the back. Copies of those photographs are attached at Exhibit F.

24. After that day, Carole began to come to my apartment with the baby. During several of those visits, she

asked that I have sexual intercourse with her and we began to have regular sexual intercourse while the baby was napping.

25. During one of her visits to my apartment Carole told me that she knew I was Victoria's father. She said that she wanted to take whatever tests would prove her feelings. She said that if the tests showed I was the father, she would get a divorce from Gerald after she told him the truth and come to St. Thomas to live with me. During one of those visits, Carole also asked me for my family photograph album and my baby pictures. I gave those to her and she has refused to return them to me despite my request that she do so.

26. On September 1, 1981, I gave Carole \$1,000.00 to pay her rent and other bills.

27. On September 26, 1981, Gerald moved to New York City to live as part of the agreed to separation between himself and Carole.

28. During September and October, 1981, Carole, Victoria and I were together on a regular basis. In late October, 1981, we went to a Jacoby and Myers office as well as the office of a private attorney in an effort to learn what we were facing legally in order to have me be recognized as Victoria's father.

29. On October 29, 1981, Carole, Victoria and I went to UCLA to have blood tests done to determine paternity. On October 30, 1981, I returned to St. Thomas. On November 6, 1981, I received the results of the blood tests which showed a 98.07 percent probability that I was Victoria's father. A copy of that report is attached as Exhibit G.

30. Carole and I corresponded regularly between October and December, 1981 and I continued to send her money for various expenses.

31. In January, 1982, Carole and Victoria come to live with me in St. Thomas. We rented a home and began to invite people to our home. Carole told everyone that I was Victoria's father and we held ourselves out as a nuclear family. Carole signed the lease for the home as Carole Hirschensohn. A copy of the lease is attached at Exhibit H. During February, 1982, Carole's mother came to visit us in St. Thomas and stayed with us at our home.

32. In March of 1982, Carole left St. Thomas to go back to Los Angeles. At that time, she said she would return to St. Thomas as soon as she took care of some things in Los Angeles.

33. Carole continued to live in Los Angeles from March, 1982 through the remainder of that year. Gerald was in New York and not living with her. Carole had a new boyfriend named Scott Krooph. During November, 1982, I visited with Victoria twice while I was in Los Angeles. Although I requested additional visits, Carole was reluctant to arrange such visits.

34. In November, 1982, I finally decided that if I was to have the relationship I wanted with my daughter, I would need to file some legal action. Therefore, I commenced this litigation and had Carole served with the papers.

35. Carole and I had irregular communications between December, 1982 and March, 1983. Because of my business, I spent some time in St. Thomas during that time.

36. In March, 1983, I was in Los Angeles and spent some time with Victoria. During my visit, Carole told me that she was going to New York.

37. In May, 1983, Carole and I met in New York and I again visited with Victoria. During that visit, Carole told me that she was unhappy with Gerald and intended to leave him and return to Los Angeles. She

then spent several nights with me at the apartment of a friend and I saw Carole and Victoria regularly while I was in New York. During that time, Carole and I sat down together and prepared a handwritten document which indicated I was Victoria's father. Carole told me she would forward that document to her lawyer so that he could prepare a formal stipulation setting forth the fact that I was Victoria's father.

38. In June, 1983, Carole and Victoria returned from New York and Carole and the lawyers began discussing how to resolve this litigation consistent with the agreement Carole and I had reached in New York.

39. In July, 1983, I returned to Los Angeles and agreed that our attorneys should complete the stipulation - they had been working on which would resolve this litigation.

40. During July, 1983, Carole was living with her mother while she waited to get back to her own apartment which she had sublet. During that time, Carole asked me to live with her and Victoria in her apartment when it again became available in August, 1983.

41. In August, 1983, Carole, Victoria and I all moved into Carole's old apartment. Carole told her friends and family that I was Victoria's father and she started to have Victoria call me Daddy.

42. From July, 1983 through April, 1984, Carole, Victoria and I lived together in the apartment in Playa Del Rey. I regularly paid Carole at least \$2,000.00 per month for the support of herself and Victoria and we maintained a joint checking account at Wells Fargo Bank, Marina Del Rey Branch.

43. During November, 1983, I returned to St. Thomas to care for my business and to begin the process of selling my holdings so that I could return to live with my family on a full-time basis. As we had agreed, during

that same time Carole and Victoria went to New York so that Carole could tell Gerald of our plans. I returned to Los Angeles in December, 1983 and Carole, Victoria and I attended a Christmas party at her parent's home. During that party, Carole once again told everyone present that I was Victoria's father and she showed everyone the diamond engagement ring I had given her.

44. On January 23, 1984, I received a telephone call telling me that my key employee in St. Thomas had been in an accident and that my presence was absolutely necessary if my businesses were to survive. As a result of that call, I immediately left for St. Thomas.

45. While I was in St. Thomas, Carole, Victoria and I regularly spoke on the telephone and I continued to send Carole at least \$2,000.00 each month. In March, 1984, Carole signed the stipulation which had been worked out by our attorneys and ourselves. A copy of that Stipulation is attached hereto as Exhibit I.

46. I returned to Los Angeles on March 23, 1984. Carole and I continued to live together and Carole continued to introduce me to people, including doctors treating Victoria, as Victoria's father. I took Victoria to her nursery school and the people at the school knew me as Victoria's father. On Easter we had a gathering of Carole's family at our home where, as before, it was acknowledged that I was Victoria's father. Victoria and I had, and have, a warm and loving father-daughter relationship and I attempted to remain with Carole in order to preserve our home for Victoria. Unfortunately, Carole and I simply could not get along and in May, 1984, I moved out of the apartment where I had been living with Carole and Victoria. Since that time, I have regularly contributed \$500.00 per month for Victoria's support and I have seen Victoria at every opportunity.

47. Since the day on the beach in July, 1981 when Carole first gave me the pictures of Victoria to the pres-

ent time, I have considered Victoria to be my daughter and have acted toward her as my daughter. We have spent considerable periods of time together, particularly in early 1982 in St. Thomas and from July, 1983 through April, 1984 in Los Angeles. Victoria calls me Daddy and knows me as her Daddy. Even though I now see her less, when she does see me, she continues to refer to me as Daddy. During my last visit with her, Victoria told me that she loves and misses me and that she would like me to visit her at her house.

48. At least since November, 1981, Carole has consistently told her family and friends that I am Victoria's father and we have participated in various family events, including a birthday party for Carole in February, 1982, Christmas, 1983, and Easter, 1984. At each of these events, I was introduced as, and treated as, Victoria's father.

49. My relationship with Victoria is important to me and I desire to be able to act as her father. I am fully prepared to continue to support her and to provide for any special education or other needs she may have.

50. I would never have become involved with Victoria and taken on the responsibilities as her father had Carole not told me I was the father and arranged to confirm that by having the blood tests done which indicated the high probability that I was Victoria's father.

51. At all time since the blood tests, I have been treated as, and acted as, the father to Victoria Dearing. She knows me as her father and she treats me as her father.

52. On several occasions during our relationships, Carole told me that she had never been pregnant as a result of sexual intercourse with Gerald Dearing.

53. During the course of our relationship, Carole also told me that Gerald had taken the same type of blood

test that she, Victoria and I had taken at UCLA and that, according to her, the results indicated in it was highly unlikely that Gerald was the father of Victoria.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 27th day of December, 1984, at _____, St. Thomas, Virgin Islands.

/s/ Michael Hirschensohn
MICHAEL HIRSCHENSOHN

On this the 27th day of December, 1984, before me personally appeared Michael Hirschensohn who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he executed it.

/s/ [Illegible]
Notary Public

SUPERIOR COURT FOR THE STATE OF
CALIFORNIA FOR THE COUNTY OF LOS ANGELES

No. CF 022753

MICHAEL HIRSCHENSOHN
Plaintiff,

vs.

CAROLE SINGLETON, aka CAROLE DEARING, *et al.*,
Defendant.

STIPULATION FOR JUDGMENT

CAROLE SINGLETON, also known as CAROLE DEARING, Defendant herein, represented by LARRY M. HOFFMAN, and mother of VICTORIA CAROLE DEARING, represented by LESLIE SHEAR, and MICHAEL HIRSCHENSOHN, Plaintiff herein represented by NEWMAN, AARONSON, KREKORIAN, VANAMAN by JOEL S. AARONSON, stipulate to the following Judgment and request judicial order based upon the following:

a. That MICHAEL HIRSCHENSOHN is the biological father of VICTORIA CAROLE DEARING and shall be so designated on the birth certificate of VICTORIA CAROLE DEARING, born May 11, 1981, in Los Angeles, California.

b. That VICTORIA CAROLE DEARING may be known throughout her minority by any surname her mother, CAROLE SINGLETON, may choose for her.

c. That Plaintiff shall not commence any action or proceeding, or in any other way attempt, to change the

name of VICTORIA CAROLE DEARING from that which is designated on her birth certificate.

d. That MICHAEL HIRSCHENSOHN shall pay directly to CAROLE SINGLETON, as and for support for VICTORIA CAROLE, the sum of \$500.00 per month, commencing June 1, 1983, and continuing until VICTORIA CAROLE becomes of majority, emancipated, dies or further order of the court.

e. That MICHAEL HIRSCHENSOHN is given the right to visit VICTORIA CAROLE at such times and places as may be mutually argued upon by the parties or further order of the court.

f. That MICHAEL HIRSCHENSOHN shall create a Will devising all of his worldly goods to VICTORIA CAROLE. That said Will may be changed subject only to his having fathered other children after the birth of VICTORIA CAROLE, in which case the Will may contain a provision that his issue would share and share alike his estate.

g. Both parties agree that notwithstanding this Stipulation for Judgment, GERALD DEARING, a Defendant whose default has been taken, may continue to have contact with VICTORIA CAROLE as a stepparent.

h. MICHAEL HIRSCHENSOHN further agrees not to make the terms of this Stipulation public beyond those individuals with needs to know.

i. MICHAEL HIRSCHENSOHN further agrees to be responsible to pay LESLIE SHEAR, ESQ., appointed counsel for VICTORIA CAROLE, for any and all legal fees and all legal fees and costs charged on her behalf.

DATED:

/s/ Carole Singleton Dearing
CAROLE SINGLETON,
aka CAROLE DEARING

/s/ Michael Hirschensohn
MICHAEL HIRSCHENSOHN
NEWMAN, AARONSON,
KREKORIAN, VANAMAN

By: /s/ Joel S. Aaronson
JOEL S. AARONSON

DATE: April 12, 1984

Approved as to Form and Content:

LESLIE SHEAR

LARRY M. HOFFMAN

SUPERIOR COURT OF THE STATE OF
CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

Case No. CF 022753

MICHAEL HIRSCHENSOHN,
Plaintiff,

vs.

CAROLE SINGLETON aka CAROLE SINGLETON
DEARING, *et al.,*
Defendants.

And Related Cross-Actions

Filed Oct. 22, 1985

JUDGMENT

On January 28, 1985, the Court duly granted Defendant, Gerald Dearing's motion, pursuant to Section 437c of the Code of Civil Procedure for an order granting Summary Judgment as to Plaintiff's First Amended Complaint to Establish Paternity and to Establish Father/Child Relationship and Defendant, Victoria Carole Dearing, a minor, Cross-Complaint for Declaratory Relief to Establish Paternity and to Establish Father/Child Relationship.

IT IS ORDERED, ADJUDGED AND DECREED that Defendant, Gerald Dearing is the father of VICTORIA CAROLE DEARING, born May 11, 1981.

Approved as to Form and Content:

/s/ Leslie Ellen Shear
LESLIE ELLEN SHEAR, Guardian
ad Litem, and Attorney for
minor VICTORIA CAROLE DEARING

/s/ Joel S. Aaronson
JOEL S. AARONSON, Attorney for
Plaintiff MICHAEL HIRSCHENSOHN

/s/ Larry Hoffman
LARRY HOFFMAN, Attorney for
Defendant CAROLE SINGLETON DEARING

/s/ Glen H. Schwartz
GLEN H. SCHWARTZ, Attorney for
Defendant GERALD DEARING

Dated: October 22, 1985.

/s/ Stephen M. Lachs
STEPHEN M. LACHS
Judge of Superior Court